

**PROCEEDINGS OF THE COMMON COUNCIL OF
THE CITY OF RICHMOND, INDIANA,
MONDAY, MARCH 19, 2007**

The Common Council of the City of Richmond, Indiana met in regular session Monday, March 19, 2007, in the Council Chambers in said City. President Pappin presided and the following business was conducted:

PLEDGE OF ALLEGIANCE

PRAYER BY COUNCILOR PAPPIN

ROLL CALL

Councilors present were Howard "Jack" Elstro, Etta Lundy, Bruce Wissel, Karl Sharp, Bing Welch, Larry Parker, Al Glover, Gil Klose and Diana Pappin.

Also present were the following Government students from Richmond High School: Tricia Clark, Natalie Engle, Leneah Holland, Claire Miller and Spencer Gray.

APPROVAL OF MINUTES

Councilor Wissel moved to approve the minutes of the meeting of March 5, 2007, with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

**PRESENTATIONS, MEMORIALS OR REMONSTRANCES, PETITIONS AND INTRODUCTIONS,
MOTIONS, RESOLUTIONS**

RESOLUTION NO. 2-2007 – AUTHORIZING THE SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") APPLICATION TO THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY; RECEIPT OF CDBG FUNDS; AND ADDRESSING RELATED MATTERS

This Resolution would authorize the Mayor to apply for and receive an award in the amount of up to the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) in Community Development Block Grant funding to address conditions relating to the City of Richmond and to execute and administer resultant grant.

Councilor Klose moved to amend the following paragraph to read: *FURTHER RESOLVED, funds in the amount of five percent (5%) of the CDBG award shall be and hereby are set aside to execute and administer resultant grant including requisite general administration and management, contracts and agreements according to the terms and conditions as are more particularly set forth in IHCD's and the U.S. Department of Housing and Urban Development's ("HUD") published policies, procedures and regulations, as amended from time to time, and as are set forth in the application . Such commitment fulfills the minimum leverage requirement for the CDBG request and is to be contingent upon receipt of CDBG funding from IHCD.* There was a second by Councilor Parker. Upon a vote viva voce, the motion passed.

Councilor Lundy moved to adopt Resolution No. 2-2007 as amended with a second by Councilor Elstro. Upon a vote viva voce, the motion passed.

RESOLUTION NO. 3-2007 – A RESOLUTION SUPPORTING THE APPROVAL OF A LATE FILED APPLICATION FOR A PERSONAL PROPERTY TAX ABATEMENT FOR JASON INCORPORATED, D/B/A/ OSBORN INTERNATIONAL

This Resolution would allow Jason Incorporated d/b/a Osborn International to amend the Statement of Benefits for Personal Property dated February 20, 2004 by filing an amended Statement of Benefits dated March 13, 2007. The Tax Abatement Committee recommended approval.

Councilor Wissel pointed out that if the actual amount was greater than a Tax Abatement request, a new Statement of Benefits could be filed that would allow the greater figure. Director of Metropolitan

Development, Tony Foster, reported his department will be notifying companies that this appeal is available.

Councilor Wissel moved to adopt Resolution No. 3-2007 with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

RESOLUTION 4-2007 - – A RESOLUTION SUPPORTING THE APPROVAL OF A LATE FILED APPLICATION FOR A PERSONAL PROPERTY TAX ABATEMENT FOR COLOR BOX, LLC.

This Resolution would allow Color-Box, LLC to amend the Statement of Benefits for Personal Property dated March 1, 1999 by filing an amended Statement of Benefits dated March 15, 2007. The Tax Abatement Committee recommended approval.

Councilor Wissel moved to adopt Resolution No. 4-2007 with a second by Councilor Sharp. Upon a vote viva voce, the motion passed.

RESOLUTION 5-2007 - A RESOLUTION SUPPORTING THE APPROVAL OF A LATE FILED APPLICATION FOR A PERSONAL PROPERTY TAX ABATEMENT FOR COLOR BOX, LLC.

This Resolution would allow Color-Box, LLC to amend the Statement of Benefits for Personal Property dated October 8, 2004 by filing an amended Statement of Benefits dated March 15, 2007.

Councilor Wissel moved to adopt Resolution No. 5-2007 with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

COMMUNICATION FROM THE MAYOR

- Due to the diligence of the Street Tree Committee, the City of Richmond has been designated a National Tree City for the 18th year.
- The six-week Spring Cleaning Blitz schedule was distributed to Council. Diane Whitehead of the Neighborhood Policing Department and Denise Johnson of the Sanitary District have organized this effort.
- April 2-6 has been designated Highway Work Zone Awareness Week.
- Police Chief Kris Wolski was recognized as the Officer of the Year. Chief Wolski was chosen because of his work with Genesis Groups.

REPORT FROM BOARD OF PUBLIC WORKS AND SAFETY

Minutes of the March 1 and 8, 2007 meetings were accepted as presented.

REPORTS FROM DEPARTMENT HEADS - None

REPORTS FROM STANDING COMMITTEES - None

REPORTS FROM SPECIAL COMMITTEES - None

REPORTS FROM ORGANIZATIONS - None

MISCELLANEOUS BUSINESS

- John Dalton, Executive Director of WCTV, spoke to the problems our access stations are encountering with “live feeds” from public buildings in the City. Mr. Dalton has been in touch with Insight Communications. They have indicated a plan to rectify the situation will be finalized within the next two weeks.

- Councilor Wissel requested a meeting of the Committee of the Whole to discuss Ordinance No. 47-2006 – A General Ordinance of the City of Richmond, Indiana for the purpose of managing the stormwater collection and conveyance systems and activities in the City, establishing rates and charges for the users of the storm water system of the City and other related matters. The meeting will be Tuesday, March 27, 7:00 PM in the Council Chambers.

ORDINANCES ON FIRST READING

Councilor Elstro moved to suspend the rules and read Ordinance Nos. 15, 16, 17, 19, 20 & 21-2007 on first reading by title only with a second by Councilor Lundy. Upon a vote *viva voce*, the motion passed.

ORDINANCE NO. 15-2007 – A SPECIAL ORDINANCE AMENDING THE ZONING MAP FOR A CERTAIN PARCEL FROM C-2 COMMERCIAL DISTRICT TO C-2, SPECIAL USE DISTRICT (2150 Chester Boulevard)

The Clerk read Ordinance No. 15-2007 on first reading by title only.

This Ordinance is a petition to rezone the property at 2150 Chester Boulevard from C-2 Commercial District to C-2 Special Use District in order to allow the owner to use the property as a convenience store with fuel sales.

Ordinance No. 15-2007 was referred to the Plan Commission for public hearing at its meeting on April 26, 2007.

ORDINANCE NO. 16-2007 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6.1-12.1 (Contract Industrial Tooling)

The Clerk read Ordinance No. 16-2007 on first reading by title only.

This Ordinance is a request by Contract Industrial Tooling for a ten-year tax abatement for equipment valued at \$239,490.

Ordinance No. 16-2007 was referred to the Tax Abatement Committee for due diligence.

ORDINANCE NO. 17-2007 – AN APPROPRIATION ORDINANCE AUTHORIZING THE SUBMITTAL, ACCEPTANCE AND APPROPRIATION OF A GRANT FROM RICHMOND WAL-MART STORE (RPD)

The Clerk read Ordinance No. 17-2007 on first reading by title only.

This Ordinance would authorize the Richmond Police Department to submit a grant application to Richmond Wal-Mart Store. The Police Department would be authorized to accept said grant funding in an amount up to One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00). Said funds, if awarded shall be appropriated to assist with the costs of the Water Rescue Unit boat or Fire/Police Training Facility or the purchase of a projector for the training room.

Councilor Wissel moved to advance Ordinance No. 17-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 17-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 17-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 17-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Lundy moved to advance Ordinance No. 17-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Elstro. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 17-2007 on third reading by title only.

Ordinance No. 17-2007 was adopted with a 9-0 roll call vote.

ORDINANCE NO. 19-2007 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6.1-12.1 (General Aluminum Mfg. Company)

This Ordinance is a request of General Aluminum Manufacturing Company for a 10-year tax abatement for equipment valued at \$1,257,210.50.

Ordinance No. 19-2007 was referred to the Tax Abatement Committee for due diligence.

ORDINANCE NO. 20-2007 – AN APPROPRIATION ORDINANCE AUTHORIZING THE CITY OF RICHMOND TO RECEIVE A DONATION

This Ordinance would allow the Richmond Fire Department to accept donations during the calendar year 2007 to be used for the Youth Education Program, Thermal Imaging Program, Confined Space Rescue Program, Defibrillators, Water Rescue and the Police/Fire Training Facility.

Councilor Welch moved to advance Ordinance No. 20-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 20-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 20-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 20-2007 with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

Councilor Wissel moved to advance Ordinance No. 20-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 20-2007 on third reading by title only.

Ordinance No. 20-2007 was adopted with a 9-0 roll call vote.

ORDINANCE NO. 21-2007 – A SPECIAL ORDINANCE CREATING A CONSERVATION DISTRICT

The Clerk read Ordinance No. 21-2007 on first reading by title only.

This Ordinance would allow a portion of the Richmond Glen Miller/East Main Street National Register Historic District be designated as a local Historic Conservation District.

Councilor Elstro moved to advance Ordinance No. 21-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Lundy. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 21-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 21-2007 on second reading and public hearing. Speaking in favor were Pam Passmore, Real Estate Agent, Chris Nelson and Bill Engle, residents, and Joe Jarzen of Historic Landmarks and the Indiana National Road Association. There were no comments against the Ordinance. Councilor Lundy moved for engrossment of Ordinance No. 21-2007 with a second by Councilor Elstro. Upon a vote viva voce, the motion passed.

Councilor Sharp moved to advance Ordinance No. 21-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Parker. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 21-2007 on third reading by title only.

Ordinance No. 21-2007 was adopted with a 9-0 roll call vote.

ORDINANCES ON SECOND READING

ORDINANCE NO. 14-2006 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (*Johns Manville – equipment*)

This Ordinance is a request by Johns-Manville for a ten-year tax abatement for equipment valued at \$34,324,000.

The Tax Abatement Committee requested this Ordinance be held on second reading until the April 2, 2007 meeting.

ORDINANCE NO. 15-2006 – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (*Johns Manville – real estate*)

This Ordinance is a request by Johns-Manville for a ten-year tax abatement for real estate valued at \$876,000.

The Tax Abatement Committee requested this Ordinance be held on second reading until the April 2, 2007 meeting.

ORDINANCE NO. 10-2007 – A SPECIAL ORDINANCE AMENDING THE ZONING MAP FOR A CERTAIN PARCEL FROM R-2 TO R-2, SPECIAL USE (*997 Crestdale Drive*)

The Clerk read Ordinance No. 10-2007 on second reading by title only.

This Ordinance is a petition to rezone the property at 997 Crestdale Drive from R-2 Single Family District to R-2 Special Use District to allow the owner to operate a computer consulting office at that location. The Plan Commission recommended approval with the following stipulations:

- A paved area of no more than 400 sq. ft be added to the existing driveway
- The grading plan for the paved area must be reviewed and approved by the Director of Public Works for drainage approval
- The Northwest corner of the lot be screened with evergreen shrubbery no taller than four feet in height
- Street parking will be prohibited in front of the property
- A sign no larger than 2' x 3' be allowed to be placed in the side yard a distance back from the right-of-way deemed by the Traffic Department to be considered safe for traffic
- The sign may not be internally illuminated
- A landscape plan which meets the Visual Enhancement guidelines be installed within six months of the passage of this ordinance
- The number of staff working at the site will remain the same; and, any change of business plan that alters the nature of the business, particular in regard to customer traffic, would require an amendment to the rezoning ordinance
- This project be filed with the State of Indiana
- A local Certificate of Occupancy be obtained
- Per Section IC 36-7-4-921 a commitment is binding on:
 1. The owner of the parcel;
 2. A subsequent owner of the parcel; and
 3. A person who acquires an interest in the parcel.

Councilor Wissel moved the recommended stipulations be included in the Ordinance with a second by Councilor Elstro. Upon a vote *viva voce*, the motion passed.

Councilor Elstro moved for engrossment of Ordinance No. 10-2007 with a second by Councilor Glover. Upon a vote *viva voce*, the motion passed.

Councilor Lundy moved to advance Ordinance No. 10-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Elstro. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 10-2007 on third reading by title only.

Ordinance No. 10-2007 was adopted with an 8-1 roll call vote. Dissenting was Councilor Welch.

ORDINANCES ON THIRD READING

None

CALL FOR ADJOURNMENT

There being no further business, the meeting was adjourned.

S/S Diana Pappin _____
Diana Pappin, President

ATTEST: S/S Karen Chasteen _____
Karen Chasteen, City Clerk